

IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In RE:

RAYMOND RHODES JR.	)
Debtor	) Bankruptcy Case No. 19-23916-JAD
PEOPLES NATURAL GAS COMPANY,	)
LLC	) Chapter 13
Movant,	)
vs.	) Related to Docket No. 48, 49 & 51
RAYMOND RHODES JR., and RONDA J.	)
WINNECOUR, ESQUIRE, Trustee	)
)	)
Respondents.	)

STIPULATION AND CONSENT ORDER OF COURT

AND NOW, to-wit, this \_\_\_\_\_ day of \_\_\_\_\_, 2021, upon stipulation and consent of the parties, it is hereby ORDERED, ADJUDGED and DECREED that:

1. A Motion for Allowance of Administrative Claim was filed by Movant on February 25, 2021 at Docket No. 48 pertaining to post-petition gas charges.
2. A Default Order of Court was entered March 18, 2021 at Docket No. 51 which included Peoples Gas at \$57.74 beginning April 2021 on account number xxxxxxxx6235.
3. On or about March 11, 2021, the Debtor made a payment to Peoples Gas. When the Debtor made this payment to Peoples Gas, he indicated that the payment should be applied to his pre-petition account. The payment was then applied to the Debtor's pre-petition account as indicated by the Debtor.
4. On or about March 23, 2021, the Debtor called the office of counsel for Movant regarding the Default Order he received. Based on the Debtor's voice mail message and a review of the billing and payment history for Debtor's pre-petition and post-petition accounts, it was determined that that Debtor inadvertently directed that the payment on March 11, 2021 be applied to the pre-petition account, instead of the Debtor's post-petition account.
5. Upon discovering this issue, Movant transferred the March 11, 2021 payment to the Debtor's post-petition account.
6. After this transfer, the Debtor's post-petition CAP account will be current.

7. Based on the foregoing, the Default Order of Court dated March 18, 2021 at Docket No. 51 is hereby vacated and the Motion for Administrative Claim at Docket No. 48 is hereby dismissed without prejudice.
8. The Debtor and the Debtor's counsel agree that if it becomes necessary to file another Motion for Allowance of Administrative Claim because of a post petition delinquency on his CAP account, the ongoing CAP utility budget will then be included in the plan. There will be no exceptions.

BY THE COURT:

\_\_\_\_\_  
J.

Consented to by:

/s/ Michael S. Geisler  
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